

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FEDERAL HOME LOAN BANK OF BOSTON,

Plaintiff,

v.

ALLY FINANCIAL, INC. F/K/A GMAC LLC, *et al.*,

Defendants.

Civil Action No. 1:11-cv-10952-GAO

**DEFENDANTS' MOTION TO ENLARGE DEPOSITION TIME TO PERMIT
FAIR EXAMINATION OF PLAINTIFF'S CREDIT ANALYSTS
FOR THE RELEVANT CERTIFICATES**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Defendants' Motion to Enlarge Deposition Time to Permit Fair Examination of Plaintiff's Credit Analysts for the Relevant Certificates, dated September 29, 2016 (the "Memorandum of Law"), and the accompanying Declaration of Edmund Polubinski III, executed September 29, 2016 and the exhibits thereto, Defendants in the above-captioned action, by and through their undersigned counsel, respectfully move this Court, pursuant to Rules 26(b)(2)(A) and 30(d)(1) of the Federal Rules of Civil Procedure, for an Order permitting two seven-hour days each for depositions of William DiFulvio, Anna Kumysh, and Mark Cogan, and for such other relief as this Court deems just and proper.

Dated: September 29, 2016

Respectfully submitted,

Defendants:

CREDIT SUISSE (USA), INC.; CREDIT
SUISSE FIRST BOSTON MORTGAGE
SECURITIES CORP.; CREDIT SUISSE
HOLDINGS (USA), INC.; CREDIT
SUISSE SECURITIES (USA) LLC; DLJ
MORTGAGE CAPITAL, INC.,

IMH ASSETS CORP.; IMPAC FUNDING
CORPORATION; IMPAC MORTGAGE
HOLDINGS, INC.; IMPAC SECURED
ASSETS CORP.,

By their attorneys,

By their attorneys,

/s/ Jonathan Sablone

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USA INC. F/K/A GREENWICH
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RBS SECURITIES INC. F/K/A
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By their attorneys,

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CERTIFICATION OF COMPLIANCE WITH LOCAL RULES 7.1(a) AND 37.1

I, Edmund Polubinski III, hereby certify that counsel for Defendants Credit Suisse (USA), Inc.; Credit Suisse First Boston Mortgage Securities Corp.; Credit Suisse Holdings (USA), Inc.; Credit Suisse Securities (USA) LLC; DLJ Mortgage Capital, Inc.; Morgan Stanley; Morgan Stanley & Co. Inc. (n/k/a Morgan Stanley & Co. LLC); Morgan Stanley Capital I Inc.; Morgan Stanley Mortgage Capital Holdings LLC (f/k/a Morgan Stanley Mortgage Capital Inc.); Nomura Asset Acceptance Corporation; Nomura Credit & Capital, Inc.; Nomura Holding America, Inc.; Nomura Securities International, Inc.; RBS Acceptance Inc. f/k/a Greenwich Capital Acceptance, Inc.; RBS Financial Products Inc. f/k/a Greenwich Capital Financial Products, Inc.; RBS Holdings USA Inc. f/k/a Greenwich Capital Holdings, Inc.; and RBS Securities Inc. f/k/a Greenwich Capital Markets, Inc., on behalf of all Defendants, and counsel for Plaintiff Federal Home Loan Bank of Boston, met and conferred by telephone on September 15, 2016 at 4:45 p.m. Eastern Time for approximately thirty minutes and attempted in good faith to narrow or resolve the issues raised in this motion but were unable to do so. This meet and confer followed the parties' prior efforts at resolving this dispute concerning the available time for depositions of William DiFulvio, Anna Kumysh, and Mark Cogan, and has been supplemented by the parties' subsequent efforts to reach a consensual resolution, including through the email communications described in the Memorandum of Law, and other telephonic communications between counsel for Plaintiff and counsel for certain Defendants.

/s/ Edmund Polubinski III

Edmund Polubinski III

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 29, 2016.

/s/ Scott Wilcox

Scott Wilcox